

**HYUNDAI TRANSLEAD, INC.**  
***Ex rel. the Estate of Trailer Source, Inc.,***


**v.**

**v.**

**Case No. 3:04-cv-0582**  
**Judge Trauger**

For the reasons expressed in the accompanying Memorandum, the Motion to Dismiss filed by defendants Jackson Truck & Trailer Repair, Inc., James A. Harrell, Raleigh J. Williams, and Mark Lazarus (Docket No. 89) is **GRANTED IN PART** and **DENIED IN PART**. Claims 1 and 2 of the Second Amended Complaint (Docket No. 85) are dismissed without prejudice. Claims 9, 10, 11, and 12 are dismissed with prejudice. The prayer for punitive damages on Claims 3, 4, 5, 6, and 8 is dismissed with prejudice. All claims against defendant Mark Lazarus are dismissed with prejudice.

Entered this 29<sup>th</sup> day of October 2009.

  
Aleta A. TRAUGER  
United States District Judge